

In particular, on December 8, 1999, Mr. Knudtson prepared and filed U.S. provisional patent application Serial No. 60/169,821 disclosing the present application as recited in at least claim 1 of the present application. The present application does not claim priority of the '821 application because Mr. Knudtson did not have the financial resources to convert the '821 application into a full application prior to December 8, 2000.

The '821 application provides clear evidence that Mr. Knudtson conceived the present invention as recited in claim 1 well prior to the priority date of the Boicourt application. The Applicant thus respectfully submits that the Boicourt et al. publication is not prior art under 35 USC § 102 and thus cannot be used as the basis for the present rejection under 35 USC §103(a).

Given the foregoing, the Applicant respectfully submits that currently pending claims 1-7 and 15-22 are in condition for allowance, and such allowance is respectfully requested. If there is any matter which could be expedited by consultation with the Applicant's attorney, such would be welcome. The Applicant's attorney can normally be reached at the telephone number below.

Signed at Bellingham, County of Whatcom, State of Washington this 21<sup>st</sup> day of September, 2005.

Respectfully submitted,

Kermit Knudtson et al.

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CERTIFICATE OF MAILING  
37 C.F.R. §1.8

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Signature: Susie Hubka

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Date: September 21, 2005